

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chen *et al.*

Appl. No.: 09/739,752

Filed: December 20, 2000

For: **System and Method for One-Time
Programmed Memory Through
Direct-Tunneling Oxide
Breakdown**

Confirmation No.: 4979

Art Unit: 2815

Examiner: Díaz, José R.

Atty. Docket: 1875.0220000

FAX RECEIVED

JAN 27 2005

OFFICE OF PETITIONS**Petition to Withdraw from Issue under 37 C.F.R. § 1.313(c)(2)
For Consideration of a Request for Continued Examination**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450*Office of Petitions
Via Facsimile
(571)273-0025*

Sir:

It is hereby petitioned under 37 C.F.R. § 1.313(c)(2) that the above-captioned application be withdrawn from issue for consideration of the accompanying Request for Continued Examination in compliance with 37 C.F.R. § 1.114.

It is believed that no extensions of time are necessary, other than those that are otherwise provided for herewith. However, if extensions of time under 37 C.F.R. § 1.136 other than those provided herewith are required to prevent abandonment of the above-captioned application, then such extensions of time are hereby petitioned.

01/31/2005 AKELLEY 00000014 09739752

01 FC:1464

130.00 OP


- 2 -

Chen *et al.*
Appl. No. 09/739,752

This petition is accompanied by the required fee in accordance with 37 C.F.R. § 1.17(h). The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.


for Donald J. Featherstone
Attorney for Applicants
Registration No. 33,876

Date: 1/27/05

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

358342_1.DOC

**Fax**☒ Urgent☒ Return reply requested☐ Original will be sent as confirmation**To: United States Patent and Trademark Office****Date: January 27, 2005****Attention: Office of Petitions****Re: Appl. No. 09/739,752; Filed December 20, 2000****For: System and Method for One-Time****From: Donald J. Featherstone
Reg. No. 33,876****Programmed Memory Through
Direct-Tunneling Oxide Breakdown****Inventors: Chen *et al.*****Pages (including cover sheet): -11-****Fax No: 571-273-0025****Our Reference: 1875.0220000****Message****FAX RECEIVED**

Attached please find:

JAN 27 2005

1. SKGF Cover Letter;
2. Credit Card Payment Form (PTO Form PTO-2038) in the amount of \$920.00 for: **OFFICE OF PETITIONS**
\$790.00 for RCE Filing Fee; and
\$130.00 for Petition Fee;
3. Petition to Withdraw from Issue under 37 C.F.R. § 1.313(c)(2) For Consideration of a Request for Continued Examination;
4. Petition Fee Under 37 C.F.R. § 1.17 (h) Transmittal (PTO Form PTO/SB/17p);
5. Request for Continued Examination (RCE) Transmittal (PTO Form PTO/SB/30);
6. Supplemental Information Disclosure Statement; and
7. Form PTO 1449 (1 page) listing one (1) document.

Certification of Facsimile Transmission

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below.

Mary H. DawsonDate: 1/27/2005

please sign and return this page as acknowledgment of receipt

358346_1.DOC

If any portion of this transmission is not received clearly or in full,
contact us at 202.371.2600 or 1.202.371.2540

This message is intended for the exclusive use of the individual or entity to which it is addressed. The message may contain information that is privileged, confidential, or otherwise exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or use of this communication in any way is strictly prohibited. If you have received this communication in error, please call us collect immediately, and return the original message to us at the above address via the U.S. Postal Service.



Robert Greene Sterne
Edward J. Kessler
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Eisen
Tracy-Gene G. Durkin
Michael A. Cimbal
Michael B. Ray
Robert E. Seitz
Eric K. Stoff
Michael Q. Lee
Steven R. Lubelsky
John M. Covert
Linda E. Alcorn
Robert C. Milonig
Lawrence B. Bugalsky
Donald J. Featherstone
Michael V. Messinger

Judith U. Kim
Timothy J. Shea, Jr.
Patrick E. Gernitz
Jeffrey T. Hebey
Heidi L. Kraus
Albert L. Ferro
Donald R. Benowitz
Peter A. Jackson
Teresa U. Medler
Jeffrey S. Weaver
Kendrick P. Peterson
Vincent L. Capizzano
Eldora Edison Floyd
Thomas C. Flata
Brian J. Del Buono
Virgil Lee Beasmon
Theodore A. Wood
Elizabeth I. Haenes

Joseph S. Ostroff
Frank R. Cottingham
Christine M. Uhler
Rae Lynn P. Guest
George S. Burdett
Daniel A. Klein
Jason D. Eisenberg
Michael D. Specht
Andrea J. Kemage
Tracy L. Muller
Jon E. Wright
Lianne M. DeSantis
Ann E. Summerfield
Art W. Ledford
Helene C. Carlson
Timothy A. Doyle
Gaby L. Longworth
Lori A. Gordon

Nicole D. Oreser
Ted J. Ebersole
Jyod C. Iyer
Laura A. Vogel
Michael J. Monosio
Registered Patent Agents
Karen R. Markowitz
Nancy J. Leith
Matthew J. Dowd
Aaron L. Schwartz
Kathryn Yulian Pei Quach
Bryan L. Skatton
Robert A. Schwartzman
Teresa A. Coletta
Jeffrey S. Lundgren
Victoria S. Rutherford
Michelle K. Holoubek

Robert H. DeSantis
Simon J. Elliott
Julie A. Heller
Weta Maderjee
Scott M. Woodhouse
Michael G. Pann
Christopher J. Walsh

Of Counsel
Kenneth C. Bass III
Evan R. Smith
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

January 27, 2005

WRITER'S DIRECT NUMBER:

(202) 772-8629

INTERNET ADDRESS:

dontr@skgf.com

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Office of Petitions
Via Facsimile
(571) 273-0025

U.S. Utility Patent Application
Application No.: 09/739,752; Filed: December 20, 2000
For: **System and Method for One-Time Programmed Memory Through
Direct-Tunneling Oxide Breakdown**
Inventors: Chen *et al.*
Our Ref: 1875.0220000

FAX RECEIVED

JAN 27 2005

OFFICE OF PETITIONS

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Credit Card Payment Form (PTO Form PTO-2038) in the amount of \$920.00 for:
\$790.00 for RCE Filing Fee; and
\$130.00 for Petition Fee;
2. Petition to Withdraw from Issue under 37 C.F.R. § 1.313(c)(2) For Consideration of a Request for Continued Examination;
3. Petition Fee Under 37 C.F.R. § 1.17 (h) Transmittal (PTO Form PTO/SB/17p);
4. Request for Continued Examination (RCE) Transmittal (PTO Form PTO/SB/30);
5. Supplemental Information Disclosure Statement; and
6. Form PTO-1449 (1 page) listing one (1) document.

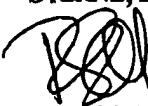
In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

Commissioner for Patents
January 27, 2005
Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

 36,013
for Donald J. Featherstone
Attorney for Applicants
Registration No. 33,876

DJF/mhd
358358_1.DOC

PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0851-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

PETITION FEE **Under 37 CFR 1.17(f), (g) & (h)** **TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
 P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	09/739,752
Filing Date	December 20, 2000
First Named Inventor	Vincent Chen
Art Unit	2815
Examiner Name	Diaz, Jose R.
Attorney Docket Number	1875.0220000

Enclosed is a petition filed under 37 CFR 1.17(h) that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$ 920.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17i.

Payment of Fees (small entity amounts are NOT available for the petition fees)

☒ The Commissioner is hereby authorized to charge the following fees to Deposit Account No. 19-0036:

☐ petition fee under 37 CFR 1.17(f), (g) or (h) ☒ any deficiency of fees and credit of any overpayments

Enclose a duplicative copy of this form for fee processing.

☐ Check in the amount of \$ _____ is enclosed.

☒ Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

FAX RECEIVED

JAN 27 2005

OFFICE OF PETITIONS

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

§ 1.63(e) - to accord a filing date.

§ 1.57(a) - to accord a filing date.

§ 1.182 - for decision on a question not specifically provided for.

§ 1.183 - to suspend the rules.

§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.

§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

§ 1.12 - for access to an assignment record.

§ 1.14 - for access to an application.

§ 1.47 - for filing by other than all the inventors or a person not the inventor.

§ 1.59 - for expungement of information.

§ 1.103(a) - to suspend action in an application.

§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.

§ 1.285 - for review of refusal to publish a statutory invention registration.

§ 1.286 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.

§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.

§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.

§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.

§ 5.12 - for expedited handling of a foreign filing license.

§ 5.16 - for changing the scope of a license.

§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

§ 1.18(g) - to request documents in a form other than that provided in this part.

§ 1.84 - for accepting color drawings or photographs.

§ 1.91 - for entry of a model or exhibit.

§ 1.102(d) - to make an application special.

§ 1.138(c) - to expressly abandon an application to avoid publication.

§ 1.313 - to withdraw an application from issue.

§ 1.314 - to defer issuance of a patent.

Signature

Donald J. Featherstone

Typed or printed name

Date

33,876

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

358584